

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CHARLES E. HILL & ASSOCIATES, INC.,)	
)	
Plaintiff,)	Cause No. 2:11-CV-00174-JRG
)	
vs.)	HON. RODNEY GILSTRAP
)	
1-800 FLOWERS.COM, INC., et al.,)	JURY DEMAND
)	
Defendants.)	


**ORDER ON AGREED MOTION TO DISMISS
DEFENDANT NEIMAN MARCUS INC. WITH PREJUDICE**

This matter is before the Court on the parties' Agreed Motion to Dismiss Defendant Neiman Marcus Inc. with Prejudice. After considering the agreed motion, the Court finds that the relief requested therein is appropriate and should be GRANTED. It is, therefore,

ORDERED that Plaintiff's claims against Neiman Marcus be, and hereby are, dismissed with prejudice; and Defendant's counterclaims against Plaintiff be, and hereby are, dismissed with prejudice. It is further

ORDERED that all costs and expenses relating to this litigation, including attorney and expert fees and expenses, shall be borne by the party incurring same.

So ORDERED and SIGNED this 5th day of October, 2012.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE